

REMARKS:

- 1) In a Telephone Interview on July 24, 2003, the Examiner agreed that she will review the present Response after Final, and will notify the undersigned attorney whether this Response has placed the application into condition for allowance, before expiration of the final extended due date of July 31, 2003. The Examiner's accommodation of our very late Response in this matter is sincerely appreciated.
- 2) Entry and consideration of the present amendments after Final are respectfully requested. This is applicant's first opportunity to reply to the new grounds of rejection that were asserted for the first time in the Final Office Action. The present amendments do not raise any new issues that would require further search or consideration. The amendments do not increase the total number of claims. The amendments are submitted to place the application into condition for allowance (mostly based on the indicated allowable subject matter) as will be discussed below.
- 3) The claims have been amended as follows.

Claims 37 to 48 and 57 to 60 have been canceled.

Independent claim 49 has been amended to incorporate the allowable subject matter of claim 60.

Minor editorial corrections have been made in claim 56 (at line 3) and in claim 68 (at lines 9 and 22).

New independent claim 71 has been added, based on claim 49, from which Mo, Ag, and B have been deleted from the Markush group of the possible d-elements.

These amendments do not introduce any new matter, and do not raise any new issues that require further consideration. Entry thereof is respectfully requested.


- 4) Referring to the middle of page 6 of the Office Action, the allowance of claims 64 to 70 is appreciated. Claims 64 to 70 have been maintained without substantive amendment and should still stand allowed.
- 5) Further referring to the middle of page 6 of the Office Action, the indication of allowable subject matter in prior dependent claim 60 is appreciated. Independent claim 49 has now been amended to incorporate the allowable subject matter of claim 60. Thus, claim 49 and its dependent claims 50 to 56 and 61 to 63 should now be allowable.
- 6) New claim 71 is based on claim 49, but is further limited by omitting Mo, Ag, and B from the list of possible d-elements. U. S. Patent 6,259,204 (Ebisawa et al.) discloses only Mo, Ag, and B as possible elements corresponding to the present d-element, as pointed out by the Examiner. Since Mo, Ag, and B have been excluded from claim 71, the final rejection of claim 49 based on Ebisawa et al. would not apply against new claim 71. Thus, claim 71 should be allowable.

- 7) Referring to pages 2 to 6 of the Office Action, the prior art rejections of claims 37 to 59 and 61 to 63 have been obviated by the cancellation of claims 37 to 48 and the limitation of claim 49 to the allowable subject matter of non-rejected claim 60. Also, as discussed above, new independent claim 71 omits Mo, Ag, and B from the possible d-elements, so claim 71 is not subject to the rejection based on Ebisawa et al. For these reasons, withdrawal of the rejections is respectfully requested.
- 8) Favorable reconsideration and allowance of the application, including all present claims 49 to 56 and 61 to 71, are respectfully requested.

Respectfully submitted,

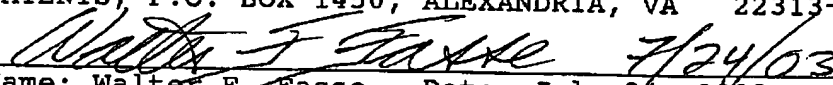
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Encls.: Three Month  
Term Extension,  
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CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (703) 746-4823 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

 7/24/03  
Name: Walter F. Fasse - Date: July 24, 2003

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